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OFFICE OF PETITIONS

In re Application of
Theodore Rappaport et al.
Application No. 10/809,466
Filed: March 26, 2004
Attorney Docket No. 02560035BB

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed September 14, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed December 29, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on March 30, 2007. A Notice of Abandonment was mailed on August 14, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment after non-final, along with a terminal disclaimer with fee of \$130.00, (2) the petition fee of \$1500.00, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 2128 for appropriate action by the Examiner in the normal course of business on the reply received September 14, 2007.


Frances Hicks
Petitions Examiner
Office of Petitions